

**ELECTRONICALLY FILED**  
**October 9, 2007**

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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

11	In re: USA COMMERCIAL MORTGAGE COMPANY Debtor	)	BK-S-06-10725-LBR Chapter 11
12	In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor	)	BK-S-06-10726-LBR Chapter 11
13	In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor	)	BK-S-06-10727-LBR Chapter 11
14	In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.	)	BK-S-06-10728-LBR Chapter 11
15	In re: USA SECURITIES, LLC, Debtor.	)	BK-S-06-10729-LBR Chapter 11
16	Affects	)	
17	<input type="checkbox"/> All Debtors	)	
18	<input type="checkbox"/> USA Commercial Mortgage Co.	)	
19	<input type="checkbox"/> USA Securities, LLC	)	
20	<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	
21	<input type="checkbox"/> USA Capital Diversified Trust Deed	)	DATE: September 28, 2007
22	<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC	)	TIME: 1:30 p.m.

**NOTICE OF ENTRY OF ORDER SUSTAINING OBJECTION OF USACM TRUST TO  
ANDREW AND BETH MITCHELL CLAIMS FILED IN WRONG DEBTOR'S CASE;  
OBJECTION OF FTDF TO PROPOSED ALLOWANCE OF CLAIM**

26 PLEASE TAKE NOTICE that an Order Sustaining Objection of USACM Trust to Andrew  
27 and Beth Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed

Allowance of Claim was entered on the 2<sup>nd</sup> day of October, 2007, a true and correct copy of  
which is attached hereto.

DATED this 9<sup>th</sup> day of October, 2007.

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Entered on Docket  
October 02, 2007

A handwritten signature in black ink, appearing to read "R. Biegel".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

5 STUTMAN, TREISTER & GLATT, P.C.  
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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

15 In re:  
16 USA COMMERCIAL MORTGAGE COMPANY,  
17 USA CAPITAL REALTY ADVISORS, LLC,  
18 USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
19 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
20 USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

### CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust  
To Andrew and Beth Mitchell Claims Filed in  
Wrong Debtor's Case; Objection of FTDF to  
Proposed Allowance of Claim**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.

### Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

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1           The Court having considered the Objection of USACM Trust To Andrew and Beth  
2 Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of  
3 Claim (the "Objection") [Docket No. 4432]; appearances having been noted on the record;  
4 adequate notice of the Objection having been given; there having been no response filed to the  
5 Objection; and for good cause appearing:

6  
7           IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-  
8 01120, 10725-01121, and 10725-01144 are disallowed against the estates and in the cases of  
9 USACM and FTDF.

10           IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by the  
11 Mitchells (as defined in the Objection) in these jointly-administered bankruptcy proceedings.  
12

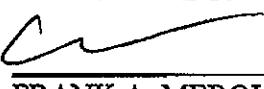
13           IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
14 of the Mitchells' equity interests in FTDF as reflected in both FTDF's books and records and in  
15 the proofs of interest filed by the Mitchells in FTDF, which interests are in the respective amounts  
16 of \$59,733, \$17,916 and \$17,916.

17           SUBMITTED BY:

18   
19 SUSAN M. FREEMAN  
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20 LEWIS AND ROCA LLP  
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22 *Counsel for USACM Liquidating Trust*

17 APPROVED BY:

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*Approved*  
REVIEWED:  
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*AUST*

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